

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

**TRUSTEES OF THE NATIONAL RETIREMENT
FUND,**

Plaintiffs,

-against-

**INTERNATIONAL VEILING CORP. and JOHN DOES
1-10 (all other trades or businesses under common
control with INTERNATIONAL VEILING CORP.),**

Defendants.

20-cv-01449 (KMK)(PED)

**AMENDED DEFAULT
JUDGMENT**

This action having been commenced on February 19, 2020 by filing of a Complaint, and Plaintiffs Trustees of the National Retirement Fund ("Plaintiffs") having served copies of the Summons and Complaint upon International Veiling Corp. ("Defendant International Veiling"), a New Jersey corporation, on May 1, 2020 by personal service upon David Wiley, Registered Agent authorized to receive service on behalf of Defendant International Veiling, and proof of such service having been filed with the Court on May 12, 2020, and Defendant International Veiling not having appeared, answered, or otherwise moved with respect to the Complaint, and the time for appearing, answering or moving having expired, and the Court having issued its Order to Show Cause requiring Defendant International Veiling to show cause before the Court why a Default Judgment should not be entered against Defendant International Veiling, and the Court having held a hearing pursuant to the Order to Show Cause, and Defendant International Veiling having failed to appear at the show cause hearing; it is

NOW, THEREFORE, upon application of the Plaintiffs and upon reading the Affidavits of Jennifer Oh, Esq., duly sworn the 28th day of May 2020, and the Certificate of Ruby J. Krajick, Clerk of Court, United States District Court for the Southern District of New York, noting the default of Defendant International Veiling, for failure to appear, answer or otherwise move with respect to the Complaint, it is hereby,

ORDERED, ADJUDGED AND DECREED, that Plaintiffs have Judgment against Defendant International Veiling for withdrawal liability in the principal amount of \$1,065,955.00 with interest thereon computed in accordance with 29 U.S.C. §1132(g)(2), the regulations of the Pension Benefit Guaranty Corporation and the Plaintiff Fund's rules and regulations with respect to employer withdrawal liability from July 1, 2019, the date of the first missed withdrawal liability payment, through the date of judgment in the amount of \$127,914.60, liquidated damages pursuant to 29 U.S.C. §1132(g)(2) and the Plaintiff Fund's rules and regulations with respect to employer withdrawal liability in the amount of \$213,191.00, and costs in the amount of \$400.00, for a total Judgment in the amount of \$1,407,460.60; and it is further

ORDERED, ADJUDGED AND DECREED, that Plaintiffs have Judgment against Defendant International Veiling permanently restraining and enjoining Defendant International Veiling and all of its officers, employees, agents, representatives, and all persons acting in concert with them from distributing, alienating, transferring, assigning, encumbering or otherwise disposing of the assets of Defendant International Veiling, regardless of the amounts, if any, or the nature of the consideration received therefore; and it is further

ORDERED, ADJUDGED AND DECREED, that nothing herein, including the provisions of the foregoing paragraph, shall impact the administration of the estate in the assignment for the benefit of creditors proceeding of International Veiling Corp. and Plaintiff herein will not challenge or contest the assets of International Veiling Corp. in the possession or control of Gary Marks, Esq., Assignee for the Benefit of Creditors, (which were collected up to the point of the entry of this Order, nor will Plaintiff interfere with Gary Marks, Esq., Assignee for the Benefit of Creditor's claim to a potential preference by the landlord of the former premises of International Veiling Corp.) currently pending in the Superior Court of New Jersey, Chancery Division: Probate Part, Passaic County, Docket No. P2L9759, nor enjoin the Assignee from fully performing his statutory obligations to liquidate and distribute the assets of International Veiling Corp.; and it is further

ORDERED, ADJUDGED AND DECREED that interest shall continue to accrue on the amount due under this Judgment at the legal rate as defined in 28 U.S.C. §1961 from the date of entry of this Judgment on September 22, 2020 until the Judgment is fully satisfied.

Dated: September 22, 2020
White Plains, New York

SO ORDERED:



Honorable Kenneth M. Karas
United States District Judge